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FEDERAL COMMUNICATIONS COMMISSION
In the Office of the SecretaryBefore the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYAmendment of Section 73.202(b)
Table of Allotments,
FM Broadcast Stations.
(Monahans, Texas and
Gardendale, Texas)MM Docket No. _____
RM- _____

To: The Chief, Allocations Branch:

PETITION FOR RULEMAKING

1. Capstar Royalty II Corporation ("Capstar"), the licensee of KCDQ(FM), Monahans, Texas, hereby petitions the Commission to amend the FM Table of Allotments, 47 C.F.R. Section 73.202(b), to reallocate Channel 271C from Monahans, Texas, to Gardendale, Texas, and to modify Station KCDQ's authorization accordingly. This petition is filed pursuant to Section 1.420(i) of the Commission's Rules, which permits the modification of a station's license to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest.¹ As demonstrated below, based upon the FM allotment priorities, the reallocation of Channel 271C to Gardendale, Texas, would result in a preferential arrangement of allotments.

2. According to the 1990 U.S. Census, Gardendale is defined as a census designated place ("CDP") with a population of 1,103 persons in 424 households. See Technical Narrative of John Furr & Associates, Inc. attached hereto as Exhibit A. Moreover, Gardendale has its own post office (zip code 79758) and volunteer fire department, as well as several churches, schools and businesses. Accordingly, Gardendale qualifies as a community to which an FM Channel may be allotted.

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¹ See *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990).

3. Based upon the FM allotment priorities set forth in *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982) (“*FM Priorities*”), the proposed reallocation of Channel 271C to Gardendale, Texas, would result in a preferential arrangement of allotments. A new FM channel in Gardendale would provide that community with its first local transmission service, thus fulfilling Priority 3 of the Commission’s allotment priorities.² Following the proposed reallocation of KCDQ, one full-time AM station, KLBO, and one full-time FM station, KGEE, will continue to be licensed to Monahans.

4. As noted in Exhibit A, Gardendale is not located within a U.S. Census Urbanized Area. Moreover, Capstar proposes the reallocation of Channel 271C from Monahans to Gardendale at KCDQ’s present transmitter site. Therefore, because the KCDQ transmitter site will remain unchanged, there will be no decline in the Station’s service area or number of listeners reached. Finally, because Capstar does not propose a change in KCDQ’s facilities, KCDQ, as licensed to Gardendale, would continue to provide city-grade coverage to Monahans.

5. As Exhibit A demonstrates, Station KCDQ’s current transmitter site (a) complies fully with the minimum separation requirements set forth in Section 73.207 of the Commission’s rules, and (b) places a city-grade signal over the entire city of Gardendale in accordance with Section 73.315 of the Commission’s rules.

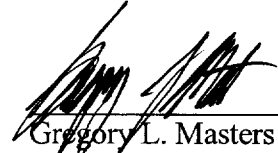
WHEREFORE, the above premises considered, Capstar Royalty II Corporation respectfully requests that the Commission amend the Table of FM Allotments to delete Channel 271C from Monahans, Texas, add Channel 271C to Gardendale, Texas, and modify the KCDQ(FM) license accordingly.

² The FM allotment priorities are: (1) first full-time aural service; (2) second full-time aural service; (3) first local service; and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3). See *FM Priorities* at 92 (1982).

Respectfully submitted,

CAPSTAR ROYALTY II CORPORATION

By:



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Its Attorneys

May 17, 1999

TECHNICAL NARRATIVE

This technical showing is prepared to support a proposal to change city of license of KCDQ from Monahans, Texas to Gardendale, Texas. This proposal is to render first service to Gardendale, Texas.

The reference coordinates are the licensed transmitter site:

31°57'55" North, 102°46'10" West.

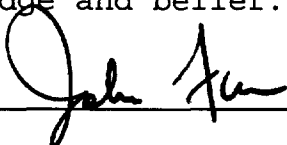
Exhibit A demonstrates that this site meets all spacings as required by §73.207 of the FCC Rules for this class operation. Exhibit B demonstrates that the entire city of Gardendale, Texas receives service from the reference coordinates at maximum facilities, as required by §73.315.

According to the 1990 US Census, Gardendale, Texas is defined as a census designated place (CDP) and has a population of 1,103 persons in 424 households. The city is located in Ector County with a population of 118,934 and is outside any urbanized area.

Since the reference site is the current authorized site, there is no gain or loss in coverage or population. Since there is no gain or loss area, a showing of reception services has not been submitted. Monahans, Texas will still be served by one full time AM station, KLBO; and one full time FM station, KGEE.

My qualifications are a matter of record with the FCC. The above information and attached exhibits are true and correct according to my knowledge and belief.

April 27, 1999

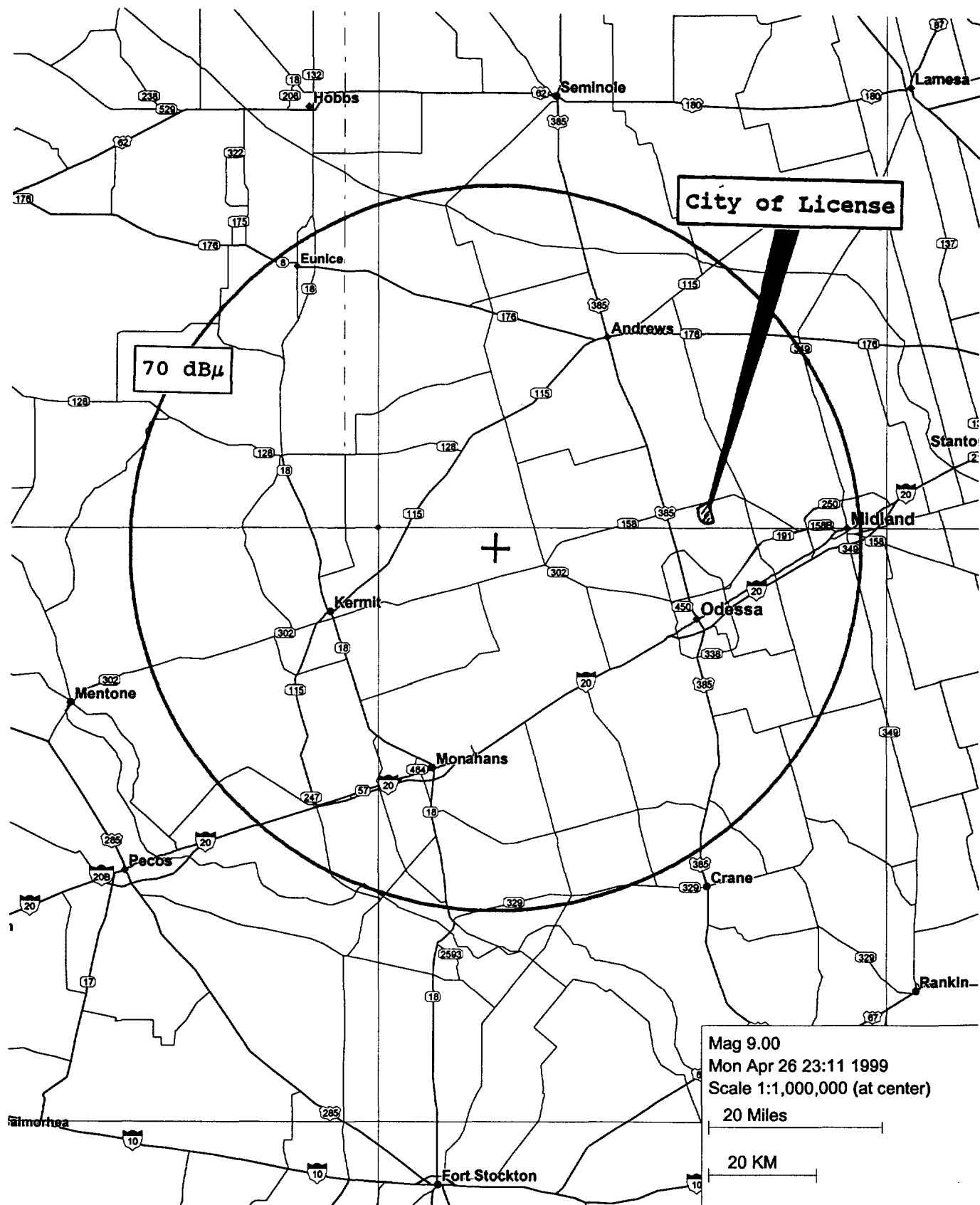


John R. Furr

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>>>>>> Study For Channel 271 102.1 mHz <<<<<<<

KLEAFM LOVINGTON, NM	269 A	101.7	3.00	32-56-30	120.0	95	
LIC LEA COUNTY BROADCASTI	BLH-3206		85	103-19-12	334.6	+25.0	CLEAR
*To amend to channel 269C3 per D91-305							



JF&A
COMMUNICATIONS
CONSULTANTS

CONTOUR MAP

KCDQ
GARDENDALE, TX
EXHIBIT B